

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

_____)	
MARA SILVIA,)	
Plaintiff,)	
)	
v.)	
)	CIVIL ACTION NO. 1:23-cv-12672-JEK
)	
BURLINGTON CENTERS, LLC, and)	
DIVISIONS, INC.,)	
Defendants.)	
_____)	

**PLAINTIFF’S MOTION TO COMPEL THE DEPOSITION OF MR. GREGORY
MICHON**

NOW COMES the Plaintiff, Mara Silvia, and hereby moves this Honorable Court, in accordance with Federal Rule of Civil Procedure 37(a)(3)(b)(1), to compel the Defendant, Divisions, Inc., to produce for deposition Mr. Gregory Michon within 30 days. In support of this Motion, the Plaintiff offers the following:

1. The Plaintiff, Mara Silvia, tripped and fell due to a pothole in the parking lot at 150 Lexington Street, Burlington, Massachusetts, on November 22, 2020, causing injury to her left ankle.
2. On and before November 22, 2020, Divisions, Inc., was contractually obligated to conduct inspections of the parking area and recommend repairs. See Exhibit A, Divisions, Inc. Answers to Interrogatories at pgs. 3, and 5-6.
3. Mr. Gregory Michon, District Manager of Divisions, Inc., conducted inspections of the parking lot on April 9, 2020, June 9, 2020, August 9, 2020, and October 9, 2020. Id. at pg. 2.
4. Division, Inc., stated that Mr. Michon can be contacted via their counsel. Id. at pg. 3.

5. Plaintiff's counsel has noticed the deposition of Mr. Michon on several occasions, however, he has failed to appear. See Exhibit B.

6. Counsel for Divisions, Inc., stated Divisions, Inc., may now choose not to represent their former employee, Mr. Michon. See Exhibit B.

7. Divisions, Inc.'s, change it its position as discovery is closing on July 29, 2025, per the Scheduling Order, leaves the Plaintiff in an untenable position of attempting to subpoena Mr. Michon before the discovery deadline expires.

WHEREFORE, the Plaintiff, Mara Silvia, hereby moves this Honorable Court, in accordance with Federal Rule of Civil Procedure 37(a)(3)(b)(1), to compel the Defendant, Divisions, Inc., to produce for deposition Mr. Gregory Michon within 30 days.

The Plaintiff, MARA SILVIA
By her Attorneys,

/s/ Sean C. Joanis

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Dated: July 21, 2025

LOCAL RULE 7.1 CERTIFICATION

This is to hereby certify that all counsel discussed the issues contained in this motion via audio visual link on July 17, 2025.

/s/ Sean Joanis
Sean C. Joanis

CERTIFICATE OF SERVICE

I, Sean C. Joanis, hereby certify that on July 21, 2025, I served a copy of this document via electronic mail upon:

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/s/Sean Joanis
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